

CIVIL DOCKET
UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
<p>WATSON and WILKERSON, INC., d/b/a WELCH MEDICAL CENTER, an Oklahoma Corporation,</p> <p>Plaintiff,</p> <p>vs.</p> <p>ELLIOT RICHARDSON, Secretary of the U.S. Dept. of Health, Education, and Welfare, Washington, D.C. and LLOYD RADER, Director Oklahoma Department of Welfare,</p> <p>Defendants.</p>		<p>For plaintiff:</p> <p>Dr. James Emory Seasholtz ✓ Agent and Trustee Welch Medical Center Watson and Wilkerson, Inc. 1124 E. Grand St. Springfield, Missouri 65804 (417) 869-9738</p> <p>Intervenors:</p> <p>Hutchins & Deatherage ✓ 4021 South Harvard Tulsa 74135</p> <p>For defendant:</p> <p>Raymond J. Totoro, Sr. (L.E. Rader) Sequoyah Memorial Office Bldg. P.O. Box 25352 Okla. City, Okla. 73125 521-3630</p> <p>Nathan G. Graham ✓ 460 U. S. Courthouse Tulsa, Oklahoma 74103</p>			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 10-1-72	Clerk	9-19-72	J. Seasholtz	15.00	
		9-21-72	C.D. No. 13		15 00
J.S. 6 mailed 3-1-76	Marshal				
Basis of Action: Petition for order of mandamus & review of actions of Sec. of H.E.W.	Docket fee Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-19-72	Complaint filed and Summons issued. v (Book #VII - in vault)	
9-25-72	Return on service of summons filed. Served Lloyd Rader, Director Department of Public Welfare at Oklahoma City on 9-22-72. (\$4.72) ds	
9-25-72	Return on service of summons, filed. Served Federal Atty, U. S. Court-house, Tulsa, Oklahoma and Attorney Genral, Washington, D. C. on 9-20-72 by certified mail, return receipt requested. All on 9-20-72. ds (\$3.00	
9-27-72	Addition and amendment of orig. pleadings, filed by petitioners. rm	
10-12-72	Motion of the Deft., L. E. Rader, for extension of time to answer, filed. -order as part of the pldg./all sent to Judge. v	
10-19-72	Order, filed, as part of Motion, granting extension of time of 60 days after the service of summons should be allowed. (AEB-J)v -copies mailed. Defts.	
11-13-72	Motion for enlargement of time, and brief in support, filed. ds	
11-16-72	Order, filed, that the Sec. of HEW is hereby granted extension of time to answer from 11-19-72, to and including 1-18-73. (AEB-J)v	
11-29-72	Motion to intervene of Healthco, Inc., with brief in support, filed. hm	
11-29-72	Certificate of mailing, filed. hm	
11-29-72	Ordered that Pltf. & Deft. file responsive briefs within 10 days to motion to intervene of Healthco, Inc. (AEB-J)hm	
12-11-72	Obj. of pltf. to motion to intervene by Healthco, filed. rm	
12-11-72	Ordered that intervenor is granted 10 days in which to respond to pltf.'s objection to motion to intervene. (AEB-J)rm - ltr written	
12-13-72	Forma Pauperis Affidavit (James E. Seasholtz) filed. js <i>ref to me</i>	
12-13-72	Mot. of def. HEW for extension of time to respond to motion to intervene, with brief, filed. g <i>has to do with</i>	
12-14-72	Order, filed, that Sec. of H.E.W., is granted to and including 1-2-72 to respond to Mot. of Intervene filed by Healthco, Inc. (AEB-J)v -copies mailed.	
12-21-72	Motion for enlargement of time by Healthco, Inc. to answer, with brief in support, filed. ds <i>to manually w/ order</i>	
1-3-73	Order granting intervenor to 1/12/73 to file brief and response to brief of pltf. and def. USA. (AEB-J)rm - copies mailed	
1-15-73	Response of Sec. of HEW to mo. to intervene of Healthco, filed. rm	
1-16-73	Ordered that Magistrate conduct hearing on objection of Dr. Seasholtz to motion to intervene and motion to intervene of Healthco. (AEB-J)hm	
1-16-73	Hearing held on above motions. It is recommended that objection to motion to intervene be overruled & motion to intervene of Healthco be sustained. Deft. to prepare F&R within 5 days. (MLB-Mag)hm	
1-18-73	Findings and recommendations of Magistrate, filed. (MLB-Mag)hm (copies mailed)	
1-30-73	Order, filed, that motion to consolidate this case & 72-C-344 with 72-C-169 is allowed; that complaint in 72-C-344 is dismissed with pltf. given 20 days to file amended claim; that application to intervene of	

(continued)

DATE	PROCEEDINGS	Date Order or Judgment Noted
	Healthco on behalf of creditors is allowed and that motions to dismiss of Healthco, etc. be considered at a later time. (AEB-J)hm (copies mailed)	
2-27-76	<i>No more entries (post to 72-C-169)</i> Order filed, <u>Ordered</u> that the "Exceptions" & mot. filed by the Intervenor be and the same is hereby overruled. <u>Ordered</u> that the F/R of the Special Master be & the same are hereby affirmed and adopted by this Court. <u>Ordered</u> that attys' fees be allowed as follows: Stipe, Gossett, Stipe & Harper from the recovery of James Emory Seasholtz \$750.00, Lawrence A. McSoud from the recovery of James Emory Seasholtz \$4,000.00, W. L. Steger and Lawrence A. McSoud from the recovery of Harold W. Brooks, \$5,408.00 J. R. Hall, Jr. and Joseph Mountford from the recovery of Ira John Seasholtz \$10,201.37. (AEB-J)t cps. mld.	
2-27-76	Judgment filed and entered; that judg. is hereby entered against the U.S.A. for D.H. E. & W. in the amount of \$73,675.24 & Judg. is entered against the State of Okla., Dept. of Public Welfare, in the amt. of \$47,739.70 which amount totals \$121,414.94 and which judg. is in favor of the following recipients for the following amounts: James Emory Seasholtz \$78,398.76, Ira John Seasholtz \$20,402.74, Harold W. Brooks \$22,613.44 for a total of \$121,414.94. <u>Ordered</u> that judg. is hereby entered against the State of Okla. Dept. of Public Welfare, in the amt. of \$10,827.70, which judg. is in favor of Healthco, Inc., d/b/a Murray Myers Co. & Murray Myers X-Ray Co. <u>Ordered</u> that Ira John Seasholtz & Harold W. Brooks are hereby made parties to this action to enable them to participate in the entry, payment and satisfaction of this judgment. <u>Ordered</u> that judg. in favor of Ira John Seasholtz in the amt. of \$20,402.74 may be satisfied by the U.S.A. & the State of Okla. by the payment of such amount to Ira John Seasholtz by delivering said payment to his attorneys, J. R. Hall, Jr. & Joe Mountford. <u>Ordered</u> that the judg. in favor of Harold W. Brooks in amt. of \$22,613.44 may be satisfied by the U.S.A & the State of Okla. by the payment of said amount, less a sum of \$6,087.96, deducted because of an Internal Revenue Service tax levy, or a net amount of \$16,525.48 by delivering said net amount to the attys for Harold W. Brooks, Lawrence A. McSoud & W. L. Steger. <u>Ordered</u> that judg. in favor of Healthco, Inc., d/b/a Murray Myers Company & Murray Myers X-Ray Co. in amt. of \$10,827.70 may be satisfied by the State of Okla. Okla. Dept. of Public of Welfare, by payment of said amt. of Healthco, Inc., d/b/a Murray Myers Co. & Murray Myers X-Ray Co. by delivering said payment to its attorney, Ross Hutchins. <u>Ordered</u> that judg. in favor of James Emory Seasholtz in the amt. of \$78,398.76 may be satisfied by the U. S. A & the State of Okla. by the payment of such amt. of James Emory Seasholtz by delivering said payment to his attorneys, Lawrence A. McSoud, W. L. Steger and Gene Stipe. <u>Ordered</u> that all claims and causes of action asserted in these actions, except those reduced to judg. herein, are hereby dismissed with prejudice. (AEB-J)t cps.mld.	
3-2	Release and satisfaction of judgment by intervenors, Healthco, of judg. in amt. of \$10,827.70, from State of Okla., Okla. Dept. of Public Welfare, filed. rm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-3-76	Receipt, release and satisfaction of judg. by W. L. Steger and Lawrence McSoud re judg. against State of Okla. & USA in favor of Harold W. Brooks, filed. rm	
3-3	Receipt, release and satisfaction of judg. by James E. Seasholtz re judg. in favor of him and against State of Okla. and USA, filed.rm	
3-3-	Receipt, release and satisfaction of judg. by J. R. Hall, Jr. re judg. in favor of Ira John Seasholtz and against State of Okla. and USA, filed. rm	
3-18	Receipt, release and satisfaction of judg. by Dr. James Emory Seasholtz, filed. rm	